


REMARKS


This amendment was made to correct minor typographical matters. The application is believed now to be in condition for examination. Early and favorable examination is requested. If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, he is invited to call the telephone number below for an interview.

Respectfully submitted,

By: 
Anthony H. Handal
Reg. No. 26,275
Roger Pitt
Reg. No. 46,996

HANDAL & MOROFSKY
80 Washington Street
Norwalk, CT 06854
(203) 838-8589

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 2, 2001.


Anthony H. Handal
Reg. No. 26,275
Roger Pitt
Reg. No. 46,996

Version of Amended Specification Paragraphs with Markings
to Show Changes Made

Page 2, Lines 6 -14

Over the eons, human beings have evolved in an environment of scarcity. Accordingly, human beings are usually capable, indeed desirous of eating at any time. Such natural tendencies are amplified in the presence of food, whether the same is seen, smelled or simply when the location of the same is known.

Today, however, and particularly so in the United States of America, scarcity has been replaced by wide availability of large quantities of inexpensive food, much of it of superlative quality. Accordingly, the natural tendency to eat is out of place and dangerous, and instincts honed for countless millennia to work in favor of survival are now located in a an environment where they can easily cause the opposite effect.

Page 2, Line 26 - Page 3, Line 8

Notwithstanding the acknowledged health benefits of maintaining low to normal body weight and, of course, the incentives to simply look good, the vast majority of Americans are overweight to varying extents. In an attempt to address this problem, numerous strategies have evolved. These strategies, to varying degrees do work for some segments of the population, with various strategies working better for some rather than others. Generally, diet plans work by varying the amount and type of foods which the person who is trying to lose or maintain weight eats. For example,

some diets attempt to remove starch from the diet and increase the amount of protein consumed by the individual. Other diets ~~seeks~~ seek to remove high calorie substances having deleterious health effects, such as hard animal fats, for example, butter, cheese and fatty meats.

Page 5, Lines 4 - 14

In accordance with the invention, the flower pot ~~with the~~ has various blossoms in it, each filled with foods, such as peanuts, raisins or the like or filled with a single item of food, such as a cookie. The overall decorative appearance is more attractive then the empty packages. Accordingly, in accordance with the invention, psychological incentives exist, in at least some individuals, to discourage the consumption of the food in the individual transparent packages. Such effects may be observed, for example, in the case of birthday cakes, where particularly beautiful parts of the decoration of a birthday cake maybe left ~~till~~ until the last consumption, in order to preserve the aesthetic beauty of the birthday cake. The same psychological forces will deter the consumption of food in these decorative packages constructed in accordance with the invention.

Page 8, Lines 19 - 22

More specifically, Figure 1 illustrates a packaging system for controlling dietary caloric intake 10. ~~package~~ Package 10 is comprised of a container 12, a decorative fascia 14

and a support 16. Support 16 is positioned in base 18, which contains a material 20 that holds support 16 in place within base 18.

Page 9, Lines 14 - 19

Turning now to Figure 5, decorative fascia 14 is illustrated. Decorative fascia 14 is comprised of an outer area 26 and an inner ring 28. Outer area 26 can be shaped to represent a wide ~~varied~~ variety of items, such as a sun, a fish (Figure 6), a pig head (Figure 7), or a baseball cap (Figure 8) with a message 26 on container 12 supporting a team, for example. Inner ring 28 is configured and dimensioned to surround container 12 such a manner as to allow securing between container 12 and fascia 14.

Page 10, Lines 5 - 8

Alternatively, as illustrated in Figures 11 and 12, material 320 can be made of a rigid board-like material, such as cardboard with flaps 332, 334, 336 and 338 that can folded to conform to the inside of base 318. The support engaging surface 340 ~~having~~ has voids 342 cut out to accept supports 316 and hold them in place.

Page 10, Lines 19 - 25

In a preferred alternative embodiment illustrated in Figures 13 - 15, package 410 is comprised of a container 412 made of clear plastic, a decorative fascia 414, and a support 416. Support 416 is a one piece unit having an upper portion 444 which is cut

out in the same shape as fascia 414 and designed to receive fascia 414 by any common means, such as adhesive, stitching, or fasteners. Fascia 414 ~~being~~ is made up of pieces, a front and a back piece designed to cover the front and back surfaces respectively of upper portion 444.

Page 11, Lines 6 - 12

In the embodiment illustrated in Figure 19 - 21, package 510 is comprised of a container 512 and a support 516. Container 512 has multiple chambers 546. Each chamber ~~having~~ has a base portion 524 and a lid 522. ~~Lid~~ with lid 522 being secured to base portion 524 by any means common in the container arts. Each chamber 546 can be filled with a different gift. Additionally, chamber 546 can be ~~a~~ varied in color, shape and size such that container 512 can have varied designs, such as a fish, flower, or automobile. Support 516 is attached to container 512 by any means common in the container art.

Page 11, Line 28 - Page 13, Line 15

In accordance with the preferred embodiment, the overall decorative appearance is more attractive than the empty packages. Accordingly, psychological incentives exist, in at least some individuals, to discourage the consumption of the food in the individual transparent packages. Such effects may be observed, for example, in the case of birthday cakes, where particularly beautiful parts of the decoration of a birthday cake ~~maybe~~ may be left ~~till~~ until the last consumption, in order to preserve the aesthetic

beauty of the birthday cake. The same psychological forces will deter the consumption of food contained in these decorative packages constructed in accordance with the invention.

By adding containers with non-food items in with containers of ~~the~~ food items, the incentive exists to leave the arrangement as a whole and not binge, thus leaving ~~on~~ only the non-food items, or leaving a sparse appearance.

A particularly preferred embodiment of the invention is illustrated in Figure 24. In particular, in accordance with this embodiment of the invention, a simulated decorative object 710 comprises a support frame 712, and a transparent product carrier 714. Support frame 712 defines an inner circumferential hole 716 which supports transparent product carrier 714. Support frame 712 defines various decorative elements, including leaves 718, a stem 720, and flower petals 722. An inspirational message 724 is imprinted on the surface of support frame 712. In the illustrated example the inspirational message ~~does~~ says "Faith Is the Bird That Feels the Light When the Dawn Is Still Dark-Tagore". Of course, ~~anyone~~ any one of numerous other inspirational messages may be used in accordance with the invention. In addition, various features 726 defining parts of the simulated decorative object are imprinted on the surface of support frame 712. Such imprinting may be done by any suitable technique, such as offset printing, silkscreen printing, hand painting or the like.

In accordance with the invention, support frame 712 may be made of any suitable material, such as corrugated cardboard, cardboard without corrugations, plastic, or any other suitable and preferably inexpensive material that has the rigidity and strength to support product carrier 714 with a product in ~~its~~ it such as bath beads, a chocolate chip cookie, nuts, or the like. In the illustrated example, a cookie 728 can be seen through the ~~pace~~ face of transparent product carrier 714. The same may be manufactured by ~~anyone~~ any one of numerous techniques well-known in the art, such as die cutting, hand cutting with a blade, or any other suitable procedure.

Referring to Figures 25 and 26, the construction of transparent product carrier 714 may be better understood. In particular, transparent product carrier 714 includes a sloped sidewall 730 adapted to be received by the inner circumferential hole 716. A shoulder 732 lends rigidity to the structure and this rigidity is reinforced by rim 734. The face 736 of transparent carrier 714, together with a conical sidewall 730, shoulder 732, annular cylindrical section 736, and rim ~~734~~ 734 forms the front portion 737 of transparent product carrier 714.

Page 13, Line 22 - Page 14, Line 18

As can be seen most clearly with reference to Figure 26, transparent product carrier 714 is formed from clear, transparent and preferably colorless plastic in a slight configuration which includes a substantially straight elongated creasing portion 746,

along which transparent product carrier 714 is folded to form the product carrier into the configuration illustrated in Figure 25. ~~The~~ In particular, when it is desired to form simulated decorative object 710, a product, such as cookie 728 is inserted into front portion 737, and a backer cardboard 748 or paper label is inserted into rear portion 739. Front portion 737 and rear portion 739 are then popped into mating and locking engagement with each other.

The mating and locking engagement referred to above may be understood with respect to Figure 27. In particular, annular cylindrical section 736 is slightly conical and configuration sloping radially inwardly toward the rear of the carrier, and mating annular cylindrical section 744 is also slightly conical in configuration and slopes radially inwardly toward the rear of the carrier, but has a slightly smaller radius, ~~best~~ thus resulting in structures which locking in position. ~~We can spend~~ The plastic of which transparent product carrier 714 is made, is flexible and thus allows the surfaces to bend and flex into a mating and locking arrangement.

The rear portion 739 includes a variety of holes, including, a large hole 750 and a small hole 752 which performs the function of allowing air exchange between the environment and the inside of carrier 714. ~~For~~ for example, allowing fragrances of potpourri or bath salts to escape the product carrier 714. Additionally, ~~the holes~~ hole 750 can be finger gripping hole 750 which allows the user to grasp transparent product

carrier 714 and open it.

Page 15, Lines 4 - 20

In accordance with the preferred embodiment, it is contemplated that a plurality of simulated decorative objects 710 will be arranged in a bouquet or other arrangement 764, as illustrated in Figures 30 and 31. The inventive arrangement 764 may also include other elements, such as tissue paper 766, an inspirational sign 768 (Figure 32) and a container, such as one shaped as a ~~power~~ flower pot 770. Inside ~~flowerpot~~ flower pot 770 is a cardboard or ~~home~~ foam plastic or other support 772 which receives the stem portions 774 of simulated decorative objects 710, and, if included, ~~in~~ the post portion 776 of inspirational sign 768. The decorative bouquet ~~being~~ can be covered in a cellophane-like material for transport and display.

Figure 33 illustrates an alternate mechanism for locking a product carrier into a decorative frame other than that illustrated in Figures 28 and 29. ~~did indicate it, any~~ Any arrangement which provides for a valley ~~said his belly~~ 762 in the product carrier large enough to receive the decorative frame, such as support frame 712 will function to retain a package such as product carrier 714. In particular, Figure 33 illustrates a product carrier 814 with a non-conical sidewall 878 which includes an annular bump which defines an annular valley 882 for lockingly receiving a decorative support frame 812.

Version of Amended Claim(s) with Markings to Show Changes Made

Claim 15 (Amended). A package as claimed in Claim 1 wherein said container ~~is comprised of~~ comprises more ~~the~~ than one chamber, said more ~~then~~ than one chamber being autonomous of each other.

Claim 17 (Amended). A package as claimed in Claim 1 wherein said container ~~is comprised of~~ comprises more ~~the~~ than one chamber, said more ~~then~~ than one chamber ~~have~~ being in a communication with another chamber wherein contents of one chamber can move to another chamber.

Claim 24 (Amended). A decorative container comprising:

(a) a sculptural frame, said frame defining an inner receiving surface; and

(b) a product containing package, comprising:

(i) a front portion having first mating and locking structure, at least a portion of said front portion being transparent;

(ii) a rear portion having second mating and locking structure, said second mating and locking structure mating with said first mating and locking structure, said front portion and said rear portion together defining a chamber for receiving a product,

said product containing package having a generally annular sidewall ~~configured~~

configured and dimensioned to ~~mating~~ matingly be engaged by said inner receiving surface.

Claim 25 (Amended). A decorative container as in claim 24, wherein said ~~the~~ sculptural frame includes an upper portion defining said inner receiving surface and an elongated support member.

Claim 27 (Amended). A decorative container as in claim 24, wherein said product containing package generally annular sidewall defines a conical ~~shaped~~ shape for contacting said inner receiving surface.

Claim 32 (Amended). A decorative container as in claim 31, wherein said support member is a pot with a support structure contained within said pot, wherein each of said ~~the~~ sculptural frame includes an upper portion defining said inner receiving surface and an elongated support member, said support structure receiving said elongated support members.

Claim 34 (Amended). A decorative container as in claim 24, wherein said product containing package generally annular sidewall defines a valley for lockingly engaging said inner receiving surface, and wherein said product containing package generally annular sidewall defines a conical ~~shaped~~ shape for contacting said inner receiving surface.

Claim 36 (Amended). A decorative container as in claim 35, wherein said support

member is a pot with a support structure contained within said pot, wherein each of said ~~the~~ sculptural frame includes an upper portion defining said inner receiving surface and an elongated support member, said support structure receiving said elongated support members.